

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SAP AG and SAP AMERICA, INC.,

Plaintiff,

v.

DATATERN, INC.,

Defendant.

Case No. 1:11-cv-02648 KBF

(ECF CASE)

**NOTICE OF SAP AG AND SAP AMERICA, INC.'S MOTION FOR SUMMARY
JUDGMENT OF NON-INFRINGEMENT OF U.S. PATENT NO. 6,101,502**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of SAP AG and SAP America, Inc.'s ("SAP") Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 6,101,502, SAP will move this Court before the Honorable Katherine B. Forrest, at the United States Courthouse, located at 500 Pearl Street, New York, New York, 10008, on a date to be determined by the Court, for an order granting summary judgment on their declaratory judgment claim for non-infringement of U.S. Patent No. 6,101,502 and denying DataTern, Inc.'s corresponding infringement counterclaim for damages on that same patent pursuant to Federal Rule of Civil Procedure 56, or for such other relief as this Court may deem just and proper.

Dated: October 26, 2012

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